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Attorney for Defendant

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
ALEJANDRO GILES CUEVAS,  
  
Defendant

No. 94-358-01-MA

ORDER REDUCING SENTENCE TO  
TIME SERVED ON ALL COUNTS OF  
CONVICTION

This matter having come before the Court upon the motion of the defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c), and the Court having found that the retroactive amendment to the crack cocaine guideline reduces the base offense level from 34 to 32, and further recognizing the recent holding in *Kimbrough v. United States*, 2007 U.S. 4292040, 2007 Lexis 13082 (Dec. 10, 2007) that the crack cocaine guidelines are advisory,

IT IS HEREBY ORDERED that the term of imprisonment originally imposed is reduced to time served on all counts as of December 14, 2007;

IT IS FURTHER ORDERED THAT all other terms and provisions of the original judgment remain in effect.

Date: December 14, 2007

Malcolm F. Marsh  
The Honorable Malcolm F. Marsh  
United States District Court Judge

PAGE 1 - ORDER REDUCING SENTENCE TO TIME SERVED ON  
ALL COUNTS OF CONVICTION

c:\archive\giles\orderreducingsentence.doc December 14, 2007

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**CERTIFICATE OF SERVICE**


I hereby certify that on December 14, 2007, I served the attached **ORDER  
REDUCING SENTENCE TO TIME SERVED ON ALL COUNTS OF CONVICTION** on:

Kent Robinson  
Assistant United States Attorney  
1000 SW Third Ave, 6<sup>th</sup> Floor  
Portland, OR 97204

by \_\_\_ having deposited in the United States Mail at Portland, Oregon a full, true  
and correct copy in a sealed envelope with postage prepaid, addressed as shown  
above, the last known address for the addressees listed;

by \_\_\_ having hand delivered to the attorneys shown above a full, true, and  
correct copy of the original.

by ☒ e-mail.

  
\_\_\_\_\_  
James F. Halley, OSB #91175

The foregoing is a true, correct and complete copy of the original.

\_\_\_\_\_  
James F. Halley, OSB #91175